the States, or on the distribution of power and responsibilities among the various levels of government. Accordingly, the agency has tentatively concluded that the proposed rule does not contain policies that have federalism implications as defined in the Executive order and, consequently, a federalism summary impact statement has not been prepared.

X. Paperwork Reduction Act of 1995

FDA tentatively concludes that this proposed rule contains no collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (the PRA) (44 U.S.C. 3501–3520) is not required.

FDA also tentatively concludes that the draft special control guidance document does not contain new information collection provisions that are subject to review and clearance by OMB under the PRA. Elsewhere in this issue of the **Federal Register**, FDA is publishing a notice announcing the availability of the draft guidance document entitled ''Class II Special Controls Guidance Document: Electrocardiograph Electrodes;'' the notice contains an analysis of the paperwork burden for the draft guidance.

XI. Comments

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**), written or electronic comments regarding this document. Submit a single copy of electronic comments or two paper copies of any mailed comments, except that individuals may submit one paper copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 870

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, it is proposed that 21 CFR part 870 be amended as follows:

PART 870—CARDIOVASCULAR DEVICES

1. The authority citation for 21 CFR part 870 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 371.

2. In § 870.2360, paragraph (b) is revised to read as follows:

§ 870.2360 Electrocardiograph electrode.

* * * * *

(b) *Classification.* Class II (special controls). The special control for the device is FDA's guidance document entitled ''Class II Special Controls Guidance Document: Electrocardiograph Electrodes.'' See § 870.1(e) for the availability of this guidance document. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter, subject to the limitations in § 870.9, if it addresses the issues identified in the special controls guidance by following the specific measures recommended in the special controls guidance.

Dated: September 26, 2007.

Linda S. Kahan,

Deputy Director, Center for Devices and Radiological Health.

[FR Doc. E7–19580 Filed 10–3–07; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[REG–149036–04]

RIN 1545–BG75

Application of Section 6404(g) of the Internal Revenue Code Suspension Provisions; Hearing

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Cancellation of notice of public hearing on proposed rulemaking.

SUMMARY: This document cancels a public hearing on proposed regulations for the suspension of interest, penalties, additions to tax, or additional amounts under section 6404(g) of the Internal Revenue Code. The proposed regulations explain the general rules for suspension as well as exceptions to those general rules.

DATES: The public hearing, originally scheduled for October 11, 2007, at 10 a.m., is cancelled.

FOR FURTHER INFORMATION CONTACT: Richard A. Hurst of the Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration), at *Richard.A.Hurst@irscounsel.treas.gov.*

SUPPLEMENTARY INFORMATION: A notice of public hearing that appeared in the **Federal Register** on Thursday, June 21, 2007 (72 FR 34199), announced that a public hearing was scheduled for October 11, 2007, at 10 a.m., in the IRS Auditorium, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is under section 6404(g) of the Internal Revenue Code.

The public comment period for these regulations expired on September 19, 2007. The notice of proposed rulemaking and notice of public hearing instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be addressed. As of Friday, September 21, 2007, no one has requested to speak. Therefore, the public hearing scheduled for October 11, 2007, is cancelled.

LaNita Van Dyke,

Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. E7–19570 Filed 10–3–07; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF JUSTICE

28 CFR Part 16

[AAG/A Order No. 034–2007]

Privacy Act of 1974; Implementation

AGENCY: Department of Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Bureau of Investigation (FBI), a component agency of the Department of Justice (DOJ), proposes to exempt a new Privacy Act system of records entitled Law Enforcement National Data Exchange (N-DEx) from certain provisions of the Privacy Act. As explained in the proposed rule, the exemption is necessary to avoid interference with the law enforcement functions and responsibilities of the FBI and the N-DEx system. Public comment is invited.

DATES: Comments must be received by November 13, 2007.

ADDRESSES: Address all comments to Joo Chung, Counsel, Privacy and Civil Liberties Office, Office of the Deputy Attorney General, 950 Pennsylvania Avenue, NW., Washington, DC 20530, or facsimile 202–616–9627. To ensure proper handling, please reference the AAG/A Order No. in your correspondence. You may review an electronic version of the proposed rule at *http://www.regulations.gov.* You may also comment via the Internet to the Privacy and Civil Liberties Office at *DOJPrivacy ACTProposedRegulations@usdoj.gov;* or by using the comment form for this regulation at *http://www.regulations.gov.* Please include the AAG/A Order No. in the subject box.